



General Assembly

February Session, 2012

Raised Bill No. 345

LCO No. 1695

01695_____PD_

Referred to Committee on Planning and Development

Introduced by:
(PD)

***AN ACT CONCERNING MUNICIPAL FLOOD AND EROSION
CONTROL BOARDS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 25-85 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2012*):

3 Such board shall have authority, within the limits of appropriations
4 from time to time made by the municipality, to plan, lay out, acquire,
5 construct, reconstruct, repair, maintain, supervise and manage a flood
6 or erosion control system. As used in sections 25-84 to 25-94, inclusive,
7 "flood or erosion control system" means any dike, berm, dam, piping,
8 groin, jetty, sea wall, embankment, revetment, tide-gate, water storage
9 area, ditch, drain or other structure or facility useful in preventing or
10 ameliorating damage from floods or erosion, whether caused by fresh
11 or salt water, or any dam forming a lake or pond that benefits abutting
12 properties, and shall include any easements, rights-of-way and
13 riparian rights [which] that may be required in furtherance of any such
14 system.

15 Sec. 2. Section 25-86 of the general statutes is repealed and the

16 following is substituted in lieu thereof (*Effective October 1, 2012*):

17 Such board is authorized to enter upon and to take and hold, by
18 purchase, condemnation or otherwise, any real property or interest
19 therein [which] that it determines is necessary for use in connection
20 with the flood or erosion control system. Whenever the board is unable
21 to agree with the owner of any such property as to the compensation
22 to be paid for the taking thereof, the board, in the name of the
23 municipality, may bring condemnation proceedings in accordance
24 with the procedure provided by part I of chapter 835 for condemnation
25 by municipal corporations generally. In such case, the court or judge
26 may permit immediate possession of such property by the board in
27 accordance with the procedure provided by said chapter.

28 Sec. 3. Section 25-89 of the general statutes is repealed and the
29 following is substituted in lieu thereof (*Effective October 1, 2012*):

30 If any assessment is not valid or enforceable for any reason, a new
31 assessment may be made in the manner hereinbefore provided for the
32 determination of the original assessment. If any assessment is made
33 [which] that is not sufficient to cover the entire cost of the work to be
34 paid for by such assessment, a supplementary assessment may be
35 made by the board against those properties previously assessed, to the
36 end that a sum sufficient to pay the cost of such work may be obtained,
37 provided the total of such supplementary assessment and the original
38 assessment shall not exceed the value of the special benefit to accrue to
39 the property against which the benefit is assessed.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2012</i>	25-85
Sec. 2	<i>October 1, 2012</i>	25-86
Sec. 3	<i>October 1, 2012</i>	25-89

Statement of Purpose:

To make technical changes to statutes concerning municipal flood and erosion control boards.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]